

**In the Claims**

Cancel claims 31 and 33, without prejudice or disclaimer.

**Remarks**

The present request for reconsideration is proffered in response to the Office Action of April 19, 2002, in which claims 26 and 27 stand objected to, claims 25 and 28-35 stand rejected, and claims 36-40 stand allowed.

At the outset, Applicants express their appreciation for the Examiner's careful review of their application and the allowance of their claims 36-40.

In the Office Action, claims 25, 30, 32, and 35 stand rejected as being anticipated by U.S. patent 4,041,519 ("Melen"). In response, Applicants respectfully submit that Melen neither teaches nor suggests first and second gate structures having different fermi levels, as recited in independent claim 25 (and as recited in claims 30, 32, and 35 via their dependency on claim 25). As taught in the last paragraph on page 5 (bridging to page 6) of the present application, the "fermi level" of a gate is the extent to which has an affinity for inversion carriers. For gates to have different fermi levels, they must differ from one another in terms of doping or some other significant conductivity characteristic.

In Melen, there is absolutely no teaching or suggestion that the two conductors 88, 90 have any difference in conductivity characteristics. If anything, the overall image sensor teachings of Melen would suggest that the two conductors have the same conductivity characteristics. Note in the generic process description of the device taught by Melen, a single P polysilicon layer is taught that provides both the "row gate" 60 and "shield" 62 shown in the front figure of Melen. Col. 6, lines 28-53. There is no process step taught that would introduce any sort of differential

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in fermi levels between the row gate and the shield - implying these two conductors have the same fermi level. These structures appear to be the same in formation and operation as the "row gate" 88 and "shield" 90 taught at Col 5, lines 5-9 and cited by the Examiner as anticipating the invention.

Since Melen does not teach or suggest gates with different fermi levels, nor does it teach or suggest gates with different fermi levels in the context of the other limitations of the independent claim 25, Applicants respectfully submit that the rejections of record of claims 25, 30, 32, and 35 have been traversed.

In the Office Action, claims 28, 29, 31, 33, and 34 stand rejected as being unpatentable in view of Melen. In response, Applicants have cancelled claims 31 and 33. Applicants respectfully submit that Melen does not obviate claims 28, 29, and 34 for the reasons set forth above, since all of these claims draw their dependency from claim 25. Accordingly, Applicants respectfully submit that the rejections of record of claims 28, 29, and 34 have been traversed.

Finally, in the Office Action, claims 26 and 27 stand objected to as being dependent on a rejected base claim. However, since the base claim in question is claim 25, and since claim 25 has been distinguished from Melen as set forth above, Applicants respectfully submit that claims 26 and 27 are allowable in their current, dependent form. Accordingly, Applicants respectfully submit that the objections of record of claims 26 and 27 have been traversed.

Accordingly, Applicants respectfully request entry of the present Amendment and passage of their subject application to issuance in view thereof. Should the Examiner have any comments,

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questions, or suggestions, please do not hesitate to contact the undersigned attorney at the telephone number and/or email address set forth below.

Respectfully submitted,

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